federal register

Thursday
August 27, 1981

Part II

Federal Trade Commission

Trade Regulation Rule; Sale of Used Motor Vehicles; Corrections

FEDERAL TRADE COMMISSION

16 CFR Part 455

Trade Regulation Rule; Sale of Used Motor Vehicles; Corrections

AGENCY: Federal Trade Commission.

ACTION: Correction.

SUMMARY: This document corrects a Commission document previously published in the **Federal Register** on Friday, August 14, 1981, regarding sale of used motor vehicles.

DATE: These corrections are effective August 27, 1981.

FOR FURTHER INFORMATION CONTACT: FTC/PR, Susan M. Liss, Washington, D.C. 20580. (202) 523-1670.

SUPPLEMENTARY INFORMATION: In FR Doc. 81-23538, appearing in the **Federal Register** issue for Friday, August 14, 1981, 46 FR 41328, the following corrections should be made:

On page 41356, substitute the text of footnote 406 for the text of footnote 405. On the same page, first column, after the first full paragraph that ends with "exceed the costs.", enter a new reference to footnote 406. For the text of new footnote 406, substitute the text of old footnote 405. Starting on page 41356 and continuing through page 41358, footnote references 406 through 423 are changed to footnote references 407 through 424, respectively. On page 41358 footnote 424 is changed to footnote 425, and insert the following as text of new footnote 425:

[425] In the Vocational Schools Rule, all of the consumer notices were written in "plain English." 43 FR 60796, 60812 (1978). The Octane Posting Rule marked the first instance in which an entire regulation was written in readily understandable language. 44 FR 19160 (1979). In the R-Value Rule, the consumer disclosures required for fact sheets and advertisements and text of the Rule were all written in clear, understandable language. 44 FR 50218 (1979).

Carol M. Thomas,

Secretary.

[FR Doc. 81-25064 Filed 8-26-81; 8:45 am]

BILLING CODE 6750-01-M

16 CFR Part 455

Trade Regulation Rule; Sale of Used Motor Vehicles

Correction

In FR Doc. 81-23538 appearing on page 41328 in the issue of Friday, August 14, 1981, make the following changes:

1. On page 41341, third column, the last sentence of footnote 242 should read as follows:

"[242] * * * This standard was recently held applicable to Section 18 rulemaking. *American Optometric Ass'n v. FTC,* 626 F.2d 896, 911 n.8 (D.C. Cir. 1980)."

2. On page 41350, first column, first full paragraph, ninth line, "* * * had * * *" should read "* * * has * * *".

3. On page 41359, second column, § 455.1(c)(1), third line from the top, "then * * *" should read "than * * *"; third column, § 455.2(a)(2), fifth line, "* * * blank * * *" should read "* * * black * * *".

4. On pages 41360 and 41361, the following form is being republished because pertinent information was omitted.

BILLING CODE 1505-01-M

USED CAR BUYERS GUIDE

IMPORTANT: Spoken promises are difficult to enforce. Ask the dealer to put all promises in writing. Keep this form.

VEHICLE MAKE MODEL YEAR ID NUMBER

NOTICE: For your protection and safety

Ask about the current condition of the following major mechanical and safety systems of this car. See below which of these systems, if any, are covered by a warranty and which systems are known by the dealer to contain major defects. Dealers must inform you in writing if they know of certain defects in this car's major systems.

Frame & Body	Brake System
Engine	Steering System
Transmission and Drive Shaft	Suspension System
Differential	Tires
Cooling System	Wheels
Electrical System	Exhaust System
Fuel System	Accessories

PRE-PURCHASE INSPECTION: Ask the dealer if you may have this car inspected by your mechanic either on or off the lot.

WARRANTIES FOR THIS CAR:

☐ **NO IMPLIED WARRANTY—"AS IS". This means you will pay all costs for any repairs needed when you buy the car or after the time of sale. If this box is checked, the dealer makes no written promises about this car's condition.**

☐ **FULL / LIMITED WARRANTY. The dealer will pay ____% of the total repair bill for covered systems that fail during the warranty. Ask the dealer for a copy of the warranty document for a full explanation of warranty coverage, exclusions, and the dealer's repair obligations. Under state law, "implied warranties" may give you even more rights.**

SYSTEMS COVERED:	DURATION:

SERVICE CONTRACT. A service contract is available from _____ for $ _____ extra. This service contract adds to the dealer's responsibilities under any warranty. If you buy a service contract within 90 days of the time of sale, state law "implied warranties" may give you additional rights.

MAJOR KNOWN DEFECTS: Dealers must tell you in the space below if they know about certain defects in this car's major systems. The defects that must be disclosed if known are listed on the back of this form. However, there may be defects that are unknown to the dealer. If nothing is listed, the car is not necessarily free of defects.

_____

_____

_____

See the back of this form for important additional major defect information.

1/16" Rule

60 pt Helvetica Compact

1/16" Rule

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Hairline rule

7 pt Helvetica

12 pt Helvetica Bold

1/16" Rule

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1/16" Rule

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Hairline rule

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1/16" Rule

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Hairline rule

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Below is a list of some major defects that may occur in used cars.

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maximum line 38 picas

1/16" Rule

Frame & Body
- Frame-cracks, corrective welds, or rusted through
- Dogtracks—bent or twisted frame

Engine
- Oil leakage, excluding normal seepage
- Cracked block or head
- Belts missing or inoperable
- Knocks or misses related to camshaft lifters and push rods
- Abnormal exhaust discharge

Transmission & Drive Shaft
- Improper fluid level or leakage, excluding normal seepage
- Cracked or damaged case which is visible
- Abnormal noise or vibration caused by faulty transmission or drive shaft
- Improper shifting or functioning in any gear
- Manual clutch slips or chatters

Differential
- Improper fluid level or leakage excluding normal seepage
- Cracked or damaged housing which is visible
- Abnormal noise or vibration caused by faulty differential

Cooling System
- Leakage, including radiator
- Improperly functioning water pump

Electrical System
- Battery leakage
- Improperly functioning alternator, generator, battery or starter

Fuel System
- Visible leakage

Inoperable Accessories
- Gauges or warning devices
- Air conditioner
- Heater & Defroster

Brake System
- Failure warning light broken
- Pedal not firm under pressure (DOT specs.)
- Not enough pedal reserve (DOT specs.)
- Does not stop vehicle in straight line (DOT specs.)
- Hoses damaged
- Drum or rotor too thin (Mfgr. specs.)
- Lining or pad thickness less than 1/32 inch
- Power unit not operating or leaking
- Structural or mechanical parts damaged

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maximum line 18 picas
1 em indent on 2nd line

Steering System
- Too much free play at steering wheel (DOT specs.)
- Free play in linkage more than 1/4 inch
- Steering gear binds or jams
- Front wheels aligned improperly (DOT specs.)
- Power unit belts cracked or slipping
- Power unit fluid level improper

Suspension System
- Ball joint seals damaged
- Structural parts bent or damaged
- Stabilizer bar disconnected
- Spring broken
- Shock absorber mounting loose
- Rubber bushings damaged or missing
- Radius rod damaged or missing
- Shock absorber leaking or functioning improperly

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maximum line 18 picas
1 em indent on 2nd line

Tires
- Tread depth less than 2/32 inch
- Sizes mismatched
- Visible damage

Wheels
- Visible cracks, damage or repairs
- Mounting bolts loose or missing

Exhaust System
- Leakage

1/16" Rule

Hairline rule

7 pt. Helvetica

DEALER _____

ADDRESS _____

SEE FOR COMPLAINTS _____

1/16" Rule

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maximum line 38 picas

IMPORTANT: The information on this form is part of any contract to buy this vehicle. Removal of this label before consumer purchase (except for purpose of test-driving) is a violation of federal law (16 C.F.R. 455).

Defect disclosure specifications are printed in Volume 16 C.F.R. (Code of Federal Regulations) Part 455.

BILLING CODE 1505-01-C

5. On page 41362, first column, § 455.2(a)(2), third line from the top, insert "and" after "Section".

6. On page 41363, first column, last paragraph of footnote 5, the second sentence should read as follows:

"* * * Puede obtenerse un contrato de servicio de———por la suma adicional de US$———.* * *".

7. On pages 41364 and 41365, the following form is being republished because pertinent information was omitted.

BILLING CODE 1505-01-M

GUIA DEL COMPRADOR

1/16" Rule

60 pt. Helvetica Compact

1/16" Rule

IMPORTANTE: Las promesas verbales son difíciles de hacer cumplir. Solicite al vendedor que ponga todas las promesas por escrito. Conserve este formulario.

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Marca del vehículo Modelo Año Número de identificación

Hairline rule

7 pt. Helvetica

AVISO: Para su protección y seguridad

12 pt. Helvetica Bold

1/16" Rule

Infórmese acerca de la condición actual de los siguientes sistemas mecánicos y de seguridad de este automóvil. Vea a continuación cuáles de estos sistemas, si los hubiere, están amparados por una garantía y qué sistemas conoce el vendedor que contienen importantes defectos. Los vendedores están obligados a informarle por escrito si conocen ciertos defectos en los principales sistemas de este automóvil.

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Chasis y carroceria	Sistema de frenos
Motor	Sistema de dirección
Transmisión y eje de cardan	Sistema de suspensión
Diferencial	Llantas
Sistema de refrigeración	Ruedas
Sistema eléctrico	Sistema de escape
Sistema de combustible	Accesorios

12/15 Helvetica Bold line for line

INSPECCION PREVIA A LA COMPRA: Pregunte al vendedor si puede usted traer un mecánico para que inspeccione el automóvil o llevar el automóvil para que éste lo inspeccione en su taller.

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GARANTIAS PARA ESTE AUTOMOVIL:

12 pt Helvetica Bold

1/16" Rule

☐ SIN GARANTIA IMPLICITA—"AS IS" (TAL Y COMO ESTA). Significa que usted pagará todos los gastos de las reparaciones que sean necesarias al comprar usted el automóvil o después de efectuarse la venta. Si se ha marcado este recuadro, el vendedor no hace promesas escritas acerca de la condición de este automóvil.

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GARANTIA ☐ COMPLETA ☐ LIMITADA. El vendedor pagará _____% de la factura total de reparar los sistemas cubiertos que dejen de funcionar durante el periodo de garantía. Pida al vendedor una copia del documento de garantía donde se explican detalladamente la cobertura de la garantía, exclusiones y las obligaciones que tiene el vendedor de realizar reparaciones. Conforme a la ley estatal, las "garantías implícitas" pueden darle a usted incluso más derechos.

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SISTEMAS CUBIERTOS POR LA GARANTIA:	DURACION:
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

10 pt. Helvetica Bold caps

Hairline rule

☐ CONTRATO DE SERVICIO. Puede obtenerse un contrato de servicio de _____ por la suma adicional de US $_____. Este contrato de servicio aumenta las responsabilidades del vendedor en virtud de cualquier garantía. Si adquiere usted un contrato de servicio dentro del plazo de 90 días a partir del momento de la venta, las "garantías implícitas" de la ley estatal pueden darle derechos adicionales.

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1/16" Rule

DEFECTOS IMPORTANTES CONOCIDOS: Los vendedores le indicarán en el espacio a continuación si conocen la existencia de ciertos defectos en los sistemas principales de este automóvil. Los defectos que deberán indicarse si se conocen se relacionan al dorso de este formulario. Sin embargo, pueden haber defectos desconocidos para el vendedor. El hecho de que no se indique ninguno no quiere decir necesariamente que el automóvil esté libre de defectos.

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_____

_____

Hairline rule

Véase el dorso de este formulario donde se proporciona información adicional importante sobre los principales defectos.

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A continuación figura una lista de algunos de los principales defectos que pueden ocurrir en automóviles usados.

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1/16" Rule

Chasis y carrocería
- Chasis-grietas, soldaduras correctivas u oxidado
- Chasis doblado o torcido

Motor
- Fuga de aceite, excluyendo el escape normal
- Bloque o tapa de recámara agrietados
- Correas que faltan o no funcionan
- Fallo o pistoneo
- Emisión excesiva de humo por el sistema de escape

Transmisión y eje de cardan
- Nivel de líquido inadecuado o fuga, excluyendo filtración normal
- Cubierta agrietada o dañada visible
- Vibración o ruido anormal ocasionado por una transmisión o eje de cardan defectuoso
- Cambio de marchas o funcionamiento inadecuado en cualquier marcha
- Embrague manual patina o vibra

Diferencial
- Nivel de líquido inadecuado o fuga, excluyendo filtración normal
- Cubierta agrietada o dañada visible
- Ruido o vibración anormal ocasionado por diferencial defectuoso

Sistema de refrigeración
- Fuga, incluido el radiador
- Bomba de agua defectuosa

Sistema eléctrico
- Fuga en las baterías
- Alternador, generador, batería o motor de arranque defectuosos

Sistema de combustible
- Escape visible de combustible

Accesorios averiados
- Indicadores o medidores del cuadro de instrumentos
- Acondicionador de aire
- Calefactor y descarchador

Sistema de frenos
- Luz de advertencia de falla dañada
- Pedal no firme bajo presión (Especif. del Dpto. de Transp.)
- Juego insuficiente en el pedal (Especif. del Dpto. de Transp.)
- No detiene el vehículo en línea recta (Especif. del Dpto de Transp.)
- Conductos dañados
- Tambor o disco muy delgados (Especif. del fabricante)
- Grosor de las bandas de los frenos menor de 1/32 de pulgada
- Sistema de servofreno dañado o con escape
- Partes estructurales o mecánicas dañadas

Sistema de dirección
- Juego excesivo en el volante (Especif. del Dpto. de Transp.)
- Juego en el varillaje en exceso de 1/4 de pulgada
- Engranaje del volante de dirección se agarrota
- Ruedas delanteras mal alineadas (Especif. del Dpto. de Transp.)
- Correas del sistema de servodirección agrietadas o flojas
- Nivel del líquido del sistema de servodirección inadecuado

Sistema de suspensión
- Sellos de conexión de rodamientos defectuosos
- Piezas estructurales dobladas o dañadas
- Barra de estabilización desconectada
- Resorte roto
- Montura del amortiguador floja
- Bujes de goma dañados o ausentes
- Estabilizador para curvas dañado o ausente
- Amortiguador tiene fuga o funciona defectuosamente

Llantas
- Profundidad de la banda de rodamiento menor de 2/32 de pulgada
- Diferentes tamaños de llanta
- Daños visibles

Ruedas
- Grietas visibles, daños o reparaciones
- Pernos de montaje sueltos o ausentes

Sistema de escape
- Fuga

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1/16" Rule

Hairline rule

7 pt. Helvetica

Vendedor

Dirección

Véase para reclamaciones

1/16" Rule

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IMPORTANTE: La información contenida en este formulario forma parte de todo contrato de compra de este vehículo. Constituye una contravención de la ley federal (16 C.F.R. 455) quitar este rótulo antes de la compra del vehículo por el consumidor (salvo para conducir el automóvil en calidad de prueba).

Las especificaciones para la divulgación de los defectos están impresas en el Volumen 16 C.F.R. (Código de Disposiciones Federales), Parte 455.

BILLING CODE 1505-01-C

8. On page 41368, first column, in the Appendix, fourth line of *Illustration 2*, "purchases." should read "purchased."

9. On page 41373, first column, paragraph numbered 2, third line, "know * * *" should read "known * * *"; second column, footnote 40, tenth line, "* * * on * * *" should read "* * * of * * *".

10. On page 41374, second column, first line, the beginning of the sentence was omitted and should read as follows:

"More importantly, however, consumers * * *".

11. On page 41376, third column, last line, insert the following after "staff": "believed that such a disclosure would".

BILLING CODE 1505-01-M

Reader Aids

Federal Register

Vol. 46, No. 166

Thursday, August 27, 1981

INFORMATION AND ASSISTANCE

PUBLICATIONS

Code of Federal Regulations

CFR Unit	202-523-3419
	523-3517
General information, index, and finding aids	523-5227
Incorporation by reference	523-4534
Printing schedules and pricing information	523-3419

Federal Register

Corrections	523-5237
Daily Issue Unit	523-5237
General information, index, and finding aids	523-5227
Public Inspection Desk	633-6930
Scheduling of documents	523-3187

Laws

Indexes	523-5282
Law numbers and dates	523-5282
	523-5266
Slip law orders (GPO)	275-3030

Presidential Documents

Executive orders and proclamations	523-5233
Public Papers of the President	523-5235
Weekly Compilation of Presidential Documents	523-5235

Privacy Act Compilation	523-3517
United States Government Manual	523-5230

SERVICES

Agency services	523-3408
Automation	523-3408
Dial-a-Reg	
Chicago, Ill.	312-663-0884
Los Angeles, Calif.	213-688-6694
Washington, D.C.	202-523-5022
Magnetic tapes of FR issues and CFR volumes (GPO)	275-2867
Public briefings: "The Federal Register—What It Is and How To Use It"	523-5235
Public Inspection Desk	633-6930
Regulations Writing Seminar	523-5240
Special Projects	523-4534
Subscription orders (GPO)	783-3238
Subscription problems (GPO)	275-3054
TTY for the deaf	523-5239

FEDERAL REGISTER PAGES AND DATES, AUGUST

39431-39560.....3
39561-39808.....4
39809-39982.....5
39983-40180.....6
40181-40500.....7
40501-40670.....10
40671-40768.....11
40769-40858.....12
40859-41018.....13
41019-41486.....14
41487-41752.....17
41753-42058.....18
42059-42234.....19
42235-42436.....20
42437-42650.....21
42651-42830.....24
42831-43034.....25
43035-43128.....26
43129-43370.....27

CFR PARTS AFFECTED DURING AUGUST

At the end of each month, the Office of the Federal Register publishes separately a list of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

1 CFR

51.....41753
470.....39431

3 CFR

Proclamations:

4851.....40501
4852.....42235
4853.....42831

Executive Orders:

10033 (Amended by EO 12318).....42833
10253 (Amended by EO 12318).....42833
11541 (Amended by EO 12318).....42833
11964 (Amended by EO 12318).....42833
12013 (Amended by EO 12318).....42833
12285 (Amended by EO 12317).....42241
12286 (Revoked by EO 12316).....42237
12316.....42237
12317.....42241
12318.....42833

5 CFR

Ch. XIV.....40769
410.....40671
531.....41019
540.....41019
752.....42437
831.....42835
1201.....42437
2422.....40672
2423.....40672
2425.....40672
2429.....40672
2442.....40672

Proposed Rules:

531.....41077
1201.....40702

7 CFR

2.....40675
68.....39608, 41020
250.....41472
271.....43020
272.....39561, 43020
273.....39561, 43020
301.....42072
331.....41021, 42438
417.....42837
722.....41754
724.....42439
730.....42837
800.....43032
801.....40676, 42440
907.....42838
908.....39983, 40859, 42243, 42838, 43129
910.....40202, 41029, 42441, 42838
916.....40503
917.....40503
919.....40503
921.....40503
922.....40503
923.....40503
924.....40503
926.....40206
930.....40503
945.....40503
946.....40503
947.....40503
948.....40503
953.....40503
958.....40503
967.....40503
985.....40503, 43129
989.....39983, 41754
993.....40503
1002.....41755
1030.....41029
1421.....40859
1423.....41487
1427.....42243
1701.....39563, 40678
1822.....40769
2851.....41757
2852.....39563, 41759
2856.....39566, 40678, 42441

Proposed Rules:

Ch. IX.....40027
27.....42490
28.....42490, 42492
29.....39438
61.....42490
68.....43056
102.....42486
277.....40764
301.....41519
921.....40892
1004.....42486
1011.....39440
1065.....42074
1079.....40703
1098.....42871
1207.....40769
1446.....41521
2852.....41077, 42487

8 CFR

100.....39573
238.....40504, 40505

9 CFR

73.....40865
78.....41031
92.....39809
94.....43131

Proposed Rules:
71 ... 43175
318 ... 42463
381 ... 42463

10 CFR
2 ... 39573
205 ... 39984
436 ... 40678
780 ... 39581
Proposed Rules:
50 ... 41786
51 ... 39440
95 ... 39610
417 ... 42075
500 ... 39442
501 ... 39442
503 ... 39442
504 ... 39442
505 ... 39442

12 CFR
203 ... 40679
210 ... 42059
211 ... 39810
217 ... 42060
265 ... 42441
303 ... 40505
532 ... 42250, 42651
545 ... 41763
Proposed Rules:
7 ... 40520
526 ... 42273
532 ... 42273
546 ... 42274
561 ... 42274
563 ... 42275
563c ... 42274, 42275
571 ... 42274
614 ... 40027, 40028
615 ... 40029
1204 ... 40773, 40892

13 CFR
Proposed Rules:
120 ... 41523
124 ... 39611, 42681

14 CFR
11 ... 41488
39 ... 39431, 39990–39992, 40506–40508, 40865–40868, 41488–41490, 42252, 42254, 42651–42653, 43131–43134
71 ... 39432–39434, 39993–39995, 40509, 40510, 40869–40871, 41491, 42255, 42256, 43135
75 ... 39995–39997
91 ... 39606, 39997, 40885, 42256
97 ... 39999, 42653
207 ... 43035
208 ... 43035
221 ... 42872
250 ... 42442, 42872
399 ... 42445
Proposed Rules:
Ch. I ... 42278, 43176
25 ... 39558, 40527, 42681
39 ... 40031, 41524, 42279, 42280
61 ... 40529, 40646
63 ... 40529
65 ... 40529
67 ... 40529
71 ... 39443, 39444, 40032–40035, 40535, 40894, 40895, 42281–42283, 43177
73 ... 40034
75 ... 40035, 42283
121 ... 40527, 42681
145 ... 40529
187 ... 40529
221 ... 40703, 43057
223 ... 40896
250 ... 40703
298 ... 43057
399 ... 42075

15 CFR
369 ... 40001
385 ... 39585
399 ... 39585

16 CFR
13 ... 40001, 40770–40772, 43135, 43136
455 ... 41328, 43364
Proposed Rules:
13 ... 39833, 40037, 40040, 40774, 42681
457 ... 39845
460 ... 41080
1204 ... 41081, 42284
1306 ... 42285

17 CFR
200 ... 40001, 40003
201 ... 43136
210 ... 40872
230 ... 41766, 42655
238 ... 41753
239 ... 41766, 41753
240 ... 40872
276 ... 41771
Proposed Rules:
15 ... 42463
17 ... 42463
18 ... 42463
201 ... 41971, 42470
229 ... 41925, 42001
230 ... 41791, 41971, 42001–42042, 42470
239 ... 41791, 41902, 42029
240 ... 41971, 42042, 42470, 43181
249 ... 42042, 41753
250 ... 42042
259 ... 41753
260 ... 42042
269 ... 41753
274 ... 41753
279 ... 41753
301 ... 41753

18 CFR
1 ... 39846
154 ... 42260
157 ... 42261
260 ... 42261
Proposed Rules:
2 ... 39445
3 ... 39846
35 ... 39445
159 ... 42075
271 ... 40043, 40044
282 ... 41034, 41748
375 ... 39846

19 CFR
148 ... 42656
177 ... 42446
200 ... 41036, 43137
353 ... 39587
355 ... 39587

20 CFR
404 ... 42062
410 ... 39588, 41492
416 ... 42062
Proposed Rules:
404 ... 42683

21 CFR
103 ... 41037
176 ... 39589
193 ... 39827, 42063
444 ... 42447
520 ... 41038, 41040, 42448
522 ... 41041, 42841
558 ... 41041
680 ... 42448
1312 ... 41775
Proposed Rules:
203 ... 42470
444 ... 41814
561 ... 42683
1030 ... 41102
1308 ... 39848, 42285

22 CFR
41 ... 41776
220 ... 42841

23 CFR
450 ... 40154
490 ... 42266
650 ... 40154

24 CFR
81 ... 39434
300 ... 39810
Proposed Rules:
Subtitle A ... 41708
Subtitle B ... 41708

25 CFR
258 ... 40510

26 CFR
1 ... 39589, 43035
7 ... 43035
15a ... 43036
16A ... 41043
20 ... 43036
Proposed Rules:
1 ... 40774, 42082, 42285, 42286
6a ... 42286

27 CFR
9 ... 39811, 40045, 40873, 41492
240 ... 39812
252 ... 39812
Proposed Rules:
4 ... 39849
9 ... 39852
240 ... 39853
252 ... 39853

28 CFR
2 ... 42842
20 ... 41494
41 ... 40686, 40687

29 CFR
1 ... 41043
4 ... 41044
5 ... 41043
6 ... 41045
1601 ... 43037
1910 ... 42622
1952 ... 41046, 42842–42846
2200 ... 43137
Proposed Rules:
1 ... 41444, 42872
4 ... 41380, 42872
5 ... 41456, 42872
6 ... 41428
8 ... 41438
1910 ... 40704, 42639

30 CFR
200 ... 42266
231 ... 42266
270 ... 42266
700 ... 40650
716 ... 41046
722 ... 41702
785 ... 41046
808 ... 42063
843 ... 41702
900 ... 43041
913 ... 43041
914 ... 43041
917 ... 43041
935 ... 43041
942 ... 43041
Proposed Rules:
Ch. II ... 40706
Ch. VII ... 41525, 42684
250 ... 42286, 42287
700 ... 40652
715 ... 39854
730 ... 40706
731 ... 40706
732 ... 40706
808 ... 42082
816 ... 39854
817 ... 39854
901 ... 40049
904 ... 42873
906 ... 39855
916 ... 42874
917 ... 40047
925 ... 42875
931 ... 40050

31 CFR
51 ... 41047
203 ... 42267
535 ... 42063

32 CFR
54 ... 39817
251 ... 39817
505 ... 42847
581 ... 42267
Proposed Rules:
70 ... 42876, 43185
210 ... 42083
806b ... 43187
989 ... 41527

33 CFR
1 ... 42268,

95 ... 40873
100 ... 39435, 42657
114 ... 42268
115 ... 42268
116 ... 42268
117 ... 39436
165 ... 41494, 42657
204 ... 43043
207 ... 43044

Proposed Rules:
100 ... 40057
110 ... 40057
117 ... 40057
153 ... 42288
161 ... 42288
175 ... 42288

34 CFR

208 ... 42847
209 ... 42847
240 ... 42847
280 ... 42847
295 ... 42847
296 ... 42847
345 ... 42847
346 ... 42847
347 ... 42847
419 ... 42847
440 ... 42847
441 ... 42847
442 ... 42847
443 ... 42847
444 ... 42847
614 ... 42658
629 ... 39778
630 ... 39784
631 ... 39784
632 ... 39784
633 ... 39784
634 ... 39784
635 ... 39784
636 ... 39804
647 ... 42847
752 ... 42847
753 ... 42847
755 ... 42847
757 ... 42847
758 ... 42847
763 ... 42847
765 ... 42847
766 ... 42847
767 ... 42847
768 ... 42847
769 ... 42847
774 ... 42847
793 ... 42847
797 ... 42847

Proposed Rules:
614 ... 42685

36 CFR

7 ... 39817, 40874
60 ... 43045
61 ... 43045
62 ... 43045
63 ... 43045
64 ... 43045
65 ... 43045
66 ... 43045
67 ... 43045
68 ... 43045
69 ... 43045
71 ... 43045
72 ... 43045
222 ... 42448
801 ... 42426
1201 ... 43045
1202 ... 43045
1204 ... 43045
1205 ... 43045
1207 ... 43045
1208 ... 43045
1212 ... 43045
1226 ... 43045
1227 ... 43045
1228 ... 43045

Proposed Rules:
221 ... 40706
1190 ... 39764

38 CFR

2 ... 41495
36 ... 42848, 42849

Proposed Rules:
1 ... 43058
3 ... 42877

39 CFR

2 ... 40876
111 ... 41047
224 ... 40876
310 ... 41496
3000 ... 42064

Proposed Rules:
111 ... 43187

40 CFR

35 ... 39590, 40511
52 ... 39818, 39822, 40003–40006, 40512, 40688, 41050–41054, 41496–41499, 41777–41780, 42064, 42269, 42290, 42450, 42658, 43045, 43137–43152
62 ... 41055, 41781
65 ... 43154
81 ... 40007, 41056, 41783, 41784, 43155
122 ... 43156
123 ... 40689
146 ... 43156
180 ... 39824–39827, 42065, 42066, 42659, 42850, 43163, 43164
204 ... 41057
205 ... 41057
211 ... 41057
261 ... 40170
762 ... 42851

Proposed Rules:
35 ... 42472
52 ... 39611–39614, 39861–39864, 40536, 40774, 41103, 41814, 42289, 42292, 43188
57 ... 42084
60 ... 41817, 42878
62 ... 41814
81 ... 41814, 41818, 42292, 42293, 42878
122 ... 40896
123 ... 41103
180 ... 39865, 42088, 42089, 42298, 42299, 42685
204 ... 41104
205 ... 41104
211 ... 41104
260 ... 40896
261 ... 40058
264 ... 40896
434 ... 39456
762 ... 42880
773 ... 40898
796 ... 42472

41 CFR

Ch. 18 ... 40009, 40019
Ch. 101 ... 39436, 40690, 42067, 42270, 43165
3 ... 42852
7 ... 42852
9 ... 42853
15 ... 42852
20 ... 42852
14–3 ... 40876
60–1 ... 42865
60–2 ... 42865
60–4 ... 42865
60–20 ... 42865
60–30 ... 42865
60–50 ... 42865
60–60 ... 42865
60–250 ... 42865
60–741 ... 42865
101–4 ... 39593
101–41 ... 42660
101–42 ... 39590
101–43 ... 39590
101–45 ... 39590
101–46 ... 39590
101–48 ... 39590

Proposed Rules:
60 ... 42490
60–1 ... 42968
60–2 ... 42968
60–4 ... 42968
60–20 ... 42968
60–30 ... 42968
60–50 ... 42968
60–60 ... 42968
60–250 ... 42968
60–741 ... 42968
101–41 ... 42686

42 CFR

36 ... 40692
64a ... 39976
405 ... 41059, 41061, 42669
435 ... 42067
440 ... 42669
447 ... 42669

Proposed Rules:
442 ... 42698

43 CFR

2 ... 42067
5440 ... 42673
5450 ... 42673
9210 ... 42828

Proposed Rules:
2800 ... 39968
2880 ... 39964

44 CFR

61 ... 42674
64 ... 39596, 40693, 40695, 41500, 41502
65 ... 39597
67 ... 39829, 41063–41074, 42866, 43047
70 ... 41075, 41076

Proposed Rules:
67 ... 39456–39459, 39615, 39621, 41110–41121, 42882, 43061

45 CFR

85 ... 40686, 40696
1069 ... 42271

46 CFR

157 ... 41503
502 ... 43054
512 ... 42869
514 ... 42869
524 ... 40697
527 ... 42869
528 ... 42869
531 ... 42869
533 ... 42869
537 ... 42869
543 ... 42869
544 ... 42869
552 ... 42869

Proposed Rules:
Ch. I ... 39460
56 ... 42300
73 ... 42300
74 ... 42300

47 CFR

0 ... 43166
73 ... 39603–39605, 40020–40024, 40695–40700, 40878, 41076, 41504–41508, 42675, 43166–43173
95 ... 42461
81 ... 42677

Proposed Rules:
Ch. I ... 40899
1 ... 43068
2 ... 40536, 40904, 42473
21 ... 40904
22 ... 40536
23 ... 42473
63 ... 40902
67 ... 40707, 41819
68 ... 40902
73 ... 39627, 39629, 40059, 40536, 40707–40710, 40776, 41534, 41820, 42090, 42474–42483, 42701, 42703, 43190–43217
74 ... 40536, 41820
87 ... 39630, 40904
90 ... 39632, 40904, 41535
94 ... 40904, 42473

48 CFR

Proposed Rules:
7 ... 43218
16 ... 42303
42 ... 43218
51 ... 43218

49 CFR

1 ... 42461, 42677
3 ... 42272
172 ... 42678
179 ... 42678
512 ... 40513
525 ... 40513
553 ... 40513
555 ... 40513
571 ... 41510
575 ... 41514
613 ... 40154
1033 ... 40513
1043 ... 41516
1100 ... 40516
1128 ... 40772

Proposed Rules:
100—199 (Ch. I) ... 40540

Ch. II..... 39461
Ch. X..... 42705, 43219
175..... 40540
571..... 43219
575..... 40541
1016..... 41825
1047..... 41831
1201..... 40154, 40778
1240..... 40154
1241..... 40154

50 CFR

13..... 42679
17..... 40025, 40664, 42887
20..... 40879, 42642
21..... 42068, 42679
371..... 39829
611..... 39831, 43174
651..... 39829
652..... 40884
661..... 42070
674..... 40518, 40701

Proposed Rules:

17..... 42887
20..... 41736
654..... 40062
661..... 39634, 42485

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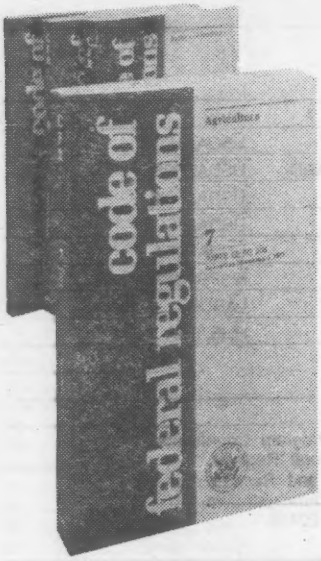

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